IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 23126 of 2007(C)

PETITIONER:

K.T.HAFSATH, W/O T.P.HUSSAIN,
THANDUPARAKKAL HOUSE, MAMPAD PO., NILAMBUR TALUK,
MALAPPURAM DIST.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:

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1. **THE AUTHORISED OFFICER,**
   (DEPUTY GENERAL MANAGER), NILAMBUR CO-OPERATIVE
   URBAN BANK LTD. HEAD OFFICE NILAMBUR.

2. **THE NILAMBUR CO-OPERATIVE URBAN BANK LTD**
   REPRESENTED BY ITS GENERAL MANAGER,
   HEAD OFFICE NILAMBUR.

3. **THE REGISTRAR OF CO-OPERATIVE SOCIETIES,**
   THIRUVANANTHAPURAM.

R1 & R2 BY ADV. SRI. P.J.DEVAPRASAD (SC)
R3 GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 23126 OF 2007 C

Dated this the 31st July, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Recovery steps have been taken. Petitioner challenges the same. He also seeks the benefit of One Time Settlement Scheme. I heard the learned counsel appearing for the parties. As far as the One Time Settlement Scheme is concerned, it is not applicable to the petitioner, submits the learned counsel appearing on behalf of the respondent Bank. Learned counsel for petitioner prays for permission to pay off the entire amount due in easy instalments. Having regard to all facts, the Writ Petition is disposed of as follows:

Petitioner is permitted to repay the entire amount remaining to be paid in six equal monthly instalments. The respondent Bank will serve a Statement on the petitioner within two weeks from today, showing the amount of instalments to be paid, on the basis that the petitioner has to pay the amount due

with interest in six equal monthly instalments. The first instalment shall be payable on or before the last working day of August, 2007 and the remaining instalments shall be paid on or before the last working day of every succeeding month. If any of the instalments is not paid, petitioner will lose the benefit of this Judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law. Should there be any One Time Settlement Scheme applicable to the Bank, it will be open to the petitioner to seek the benefit of the same from the respondent Bank.

K. M. JOSEPH, JUDGE

kbk.